

FORM PTO-1390  
(REV 01-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

P1581R2

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/380447

INTERNATIONAL APPLICATION NO.  
PCT/US99/16596INTERNATIONAL FILING DATE  
22 July 1999 (22.07.99)PRIORITY DATE CLAIMED  
27 July 1999 (27.07.98)TITLE OF INVENTION **IMPROVEMENTS IN PHAGE DISPLAY**

APPLICANT(S) FOR DO/EO/US Sachdev S. SIDHU, Gregory A. WEISS, James A. WELLS

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☒ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

Petition for Early Filing Date Under 35 U.S.C. 102(e)

09/380,447

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17. ☐ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS PTO USE ONLY**

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	28 - 20 =	8	X \$18.00
Independent claims	7 - 3 =	4	X \$80.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00

**TOTAL OF ABOVE CALCULATIONS =**

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

**SUBTOTAL =**

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

**TOTAL NATIONAL FEE =**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

**TOTAL FEES ENCLOSED =**

Amount to be  
refunded: \$  
charged: \$

- a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 07-0630 in the amount of \$ 464.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Timothy R. SCHWARTZ  
GENENTECH, INC.  
1 DNA Way  
South San Francisco, CA 94080-4990

SIGNATURE:

Timothy R. Schwartz

NAME


32,171

REGISTRATION NUMBER

CERTIFICATION UNDER 37 CFR 1.10

EM168888701US: Express Mail Number September 1, 1999; Date of Deposit

I hereby certify that this correspondence consisting of Petition, Combined Declaration for Patent Application and Power of Attorney, Transmittal Letter to the United States Elected Office, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

  
Carol Kochler

**PATENT COOPERATION TREATY**

In re Application of  
Genentech, Inc. et al.  
International Application No.: PCT/US99/16596  
International Filing Date: 22 July 1999  
Title: Improvements in Phase Display

**Petition for Early Filing Date Under 35 U.S.C. § 102(e)**


Box PCT  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
Attention: RO/US

Dear Sir:

Applicants hereby request the grant of an early filing date in the United States under 35 U.S.C. § 102(e) for the above-identified international patent application in which the United States is a designated country. This petition is filed solely to obtain the early filing date; the Applicants do not waive the thirty (30) month deadline for entry into the National Phase and do not wish the U.S. examination to commence at this time. In support of this petition and as fulfillment of the applicable requirements of 35 U.S.C. § 371, the Applicants submit herewith a transmittal letter authorizing payment of the national fee prescribed under U.S.C. § 376(a)(4) and a Combined Declaration for Patent Application and Power of Attorney fully executed by the inventors of the above-identified international application.

A notice of granting of the Early Filing Date is respectfully requested.

Respectfully submitted,  
GENENTECH, INC.

  
Timothy R. Schwartz  
Reg. No. 32,171

01 September 1999  
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